

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

STRYKER ORTHOPAEDICS,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL NO. 3:11MC10 (DFM)
	:	
SCOTT NIZOLEK,	:	
	:	
Defendant.	:	

RULING ON MOTION TO COMPEL COMPLIANCE WITH SUBPOENAS

This motion arises out of litigation pending before the United States District Court for the District of New Jersey. See Stryker Orthopaedics v. Nizolek, Civil No. No. 09-cv-3469. In conjunction with that litigation, the plaintiff served subpoenas on non-party witnesses located in Connecticut -- Marcus Bartone, Brad Wood and Craig Jackson -- seeking production of documents. The witnesses objected to the requests on the grounds of relevancy and confidentiality and also claimed that they did not have any responsive documents. The plaintiff then filed a "motion to compel compliance with subpoenas" now pending before the court. (Doc. #13.) The witnesses did not file a response to the motion to compel. On May 3, 2011, the court held a hearing on the motion. The witnesses, appearing pro se, attended the hearing.

After hearing the plaintiff and the witnesses' arguments, the court overrules the objections and grants the plaintiff's motion. The witnesses are hereby ORDERED to make a good faith search for the responsive documents requested. By May 16, 2011, the witnesses

shall produce to the plaintiff the documents requested by the subpoena. If the witnesses do not have any responsive documents, they shall provide a statement under oath stating that fact and explaining their search efforts. In the event the witnesses deleted any responsive documents, they must indicate what documents were deleted and when they were deleted.

The plaintiff shall cause a copy of this order to be served on the witnesses by May 11, 2011 and shall file proof of service.

SO ORDERED at Hartford, Connecticut this 9th day of May, 2011.

_____/s/_____
Donna F. Martinez
United States Magistrate Judge